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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/538,602	10/23/2006	Jakob Olrik	941-012268-US (PAR)	5412
2512 PERMAN & GREEN 425 POST ROAD FAIRFIELD, CT 06824	7590 01/07/2009		EXAMINER KHAN, MEHMOOD B	
			ART UNIT 2617	PAPER NUMBER
			MAIL DATE 01/07/2009	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/538,602

Applicant(s)

OLRIK ET AL.

Examiner

MEHMOOD B. KHAN

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 September 2008.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-43 is/are pending in the application.
4a) Of the above claim(s) 1-9, 20-24, 27-33 is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 10-19, 25, 26 and 34-43 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 06/09/2005
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____

DETAILED ACTION

Applicant's election without traverse of 10-19, 25, 26 and 34-43 in the reply filed on 9/11/2008 is acknowledged.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claim 10-18, 25 and 34-43 are rejected under 35 U.S.C. 102(a) as being anticipated by Murto et al. (WO 02/093290 herein Murto).

Claim 10, Murto discloses a method for handling landmarks on a mobile communication terminal, said mobile communication terminal having means for receiving messages via a communication channel (**Abstract, where Murto discloses queries to UDDI; Fig. 1: 111, 114, where Murto discloses antennas and communication with a radio tower**), Murto discloses an application for handling incoming messages that is capable of detecting messages containing a landmark, and a register for storing landmarks (**Pg 3: 15 – Pg 5: 3, where Murto discloses steps for search queries**), Murto discloses reception of a message including at least one landmark from a remote terminal (**Pg 3: 25-28, where Murto discloses a business list from a UDDI registry; Pg 4: 6-10, where Murto discloses a bindingTemplate data**), Murto discloses storing said at least one landmark in said landmark register (**Pg 4: 10-12, 18-20, where Murto discloses storage**).

Claim 11, Murto discloses in which said at least one landmark is provided with an associated category (**Pg 3: 25-26, where Murto discloses list of businesses**), Murto discloses saving said landmark under the category concerned in the landmark register (**Pg 3: 18-20, where Murto discloses storage**).

Claim 12, Murto discloses said at least one landmark is not provided with an associated category, comprising said mobile communication terminals prompting the user to indicate a category to save the landmark in (**Pg 11: 30 – Pg 12: 2, where Murto discloses categorizing; Pg 3: 18-20, where Murto discloses storage**).

Claim 13, Murto discloses said message includes bookmark information defining the location of a server associated with the landmark concerned, preferably a bookmark defining a server document containing a geographical map of the area of the landmark or an image of the landmark, and preferably comprising said mobile communication terminal providing a shortcut to the received bookmark (**Pg 4: 8-9, where Murto discloses accessPoint URL**).

Claim 14, Murto discloses wherein said remote terminal is a server providing location dependent services, preferably a routing service between at least two landmarks or a service for determining the nearest object in a given category to given landmark and the message contains the retrieved landmarks (**Pg 3: 15-22, where Murto discloses a UDDI registry and geographically based queries**).

Claim 15, Murto discloses wherein said message further comprises accuracy information of the landmark concerned (**Fig. 1F: (3) LOCATION AND DIRECTIONS**).

Claim 18, Murto discloses wherein the communication terminal allows the user to discard a received message, before of after inspection of landmarks includes in the message (**Pg 4: 22-23, where Murto discloses storing the query term**).

Claim 25, as analyzed with respect to the limitations as discussed in claim 10.

Claim 34, as analyzed with respect to the limitations as discussed in claim 10.

Claim 35, as analyzed with respect to the limitations as discussed in claim 11.

Claim 36, as analyzed with respect to the limitations as discussed in claim 12.

Claim 37, as analyzed with respect to the limitations as discussed in claim 12.

Claim 38, as analyzed with respect to the limitations as discussed in claim 10.

Claim 39, Murto discloses means for responding to a service request by containing at least one location stored in the mobile communication terminal (**Fig. 1F: LOCATION AND DIRECTIONS**).

Claim 40, Murto discloses means for sending messages via a communication channel and an application to create messages including landmarks stored in the mobile phone (**Pg 3: 20-22, Pg 4: 15-17, where Murto discloses sending requests with respect to location**).

Claim 41, Murto discloses means for including a service request related to at least one landmark in the created message (**Pg 3: 20-22, Pg 4: 15-17, where Murto discloses sending requests with respect to location**).

Claim 42, Murto discloses wherein said application to create messages has means for including parameters for a service request (**Pg 3: 20-22, Pg 4: 15-17, where Murto discloses sending requests with respect to location**).

Claim 43, as analyzed with respect to the limitations as discussed in claims 10 and 41.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 16, 17, 19 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Murto in view of Barnes JR. (US 2005/0136949 herein Barnes).

Claim 16, Murto does not explicitly disclose wherein the landmark is stored as a latitude and a longitude, preferably in according with WG84.

In an analogous art, Barnes discloses wherein the landmark is stored as a latitude and a longitude, preferably in according with WG84 **(0156, where Barnes discloses latitude and longitude)**. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Murto to provide latitude and longitude as taught by Barnes so as to determine service providers and associated communication parameters **(0010)**.

Claim 17, Murto does not explicitly disclose wherein said message comprises geocode, preferably in the form of a street name, and/or a street address number, and/or a zip or postal code, and/or a town name, and/or a state or province name, and/or a country name, and/or a name of building, and/or a building floor, and/or a name of a district associated with the landmark concerned.

In an analogous art, Barnes discloses wherein said message comprises geocode, preferably in the form of a street name, and/or a street address number, and/or a zip or postal code, and/or a town name, and/or a state or province name, and/or a country name, and/or a name of building, and/or a building floor, and/or a name of a district associated with the landmark concerned **(0156, where Barnes discloses an address)**. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Murto to provide an address as taught by Barnes so as to determine service providers and associated communication parameters **(0010)**.

Claim 19, Murto does not explicitly disclose the received message has a format in accordance with any of claims 1 to 9.

In an analogous art, Barnes discloses disclose the received message has a format in accordance with any of claims 1 to 9 (**0082, where Barnes discloses header, body, sender and receiver; 0156, where Barnes discloses the address**).

Claim 26, as analyzed with respect to the limitations as discussed in claim 19.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MEHMOOD B. KHAN whose telephone number is (571)272-9277. The examiner can normally be reached on Monday - Friday 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester Kincaid can be reached on 571-272-7922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

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USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Mehmood B. Khan/ Examiner, Art
Unit 2617

/Lester Kincaid/
Supervisory Patent Examiner, Art Unit 2617